IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 17TH OCTOBER 2007 / 25TH ASWINA 1929

WP(C).No. 27327 of 2007(C)

PETITIONER:

P.V.JOSE, AGED 53 YEARS,
S/O VARUGHESE, 3RDE GRADE OVERSEER,
MINOR IRRIGATION SECTION, PERUMBAVOOR.

BY ADV. SRI.GEORGE ABRAHAM

RESPONDENTS:

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1. ASSISTANT EXECUTIVE ENGINEER,
MINOR IRRIGATION,
SUB DIVISIONAL OFFICE, ALUVA.

2. SUPERINTENDING ENGINEER,
MINOR IRRIGATION, ERNAKULAM.

3. CHIEF ENGINEER,
IRRIGATION & ADMINISTRATION,
THIRUVANANTHAPURAM.

4. SECRETARY TO GOVERNMENT,
IRRIGATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

W.P.(C). NO. 27327 OF 2007

Dated this the 17th day of October, 2007

J U D G M E N T

In Ext.P4 judgment, this Court directed that the claim made by the petitioner and certain other persons for higher grade in the post of Grade III Overseers shall be looked into and appropriate orders be passed in that regard by the 1st respondent namely, the Government, within a period of three months from the date of receipt of a copy of the judgment. Ext.P4 judgment was brought to the notice of the Government vide Ext.P5. By Ext.P6, the Assistant Executive Engineer has intimated the Superintendent Engineer that the service book of the petitioner is not available and therefore, it is not possible to process petitioner's claim.

2. Learned Government Pleader on instructions submits that petitioner's service book is yet to be traced out.

3. Obviously, petitioner cannot be held responsible for any such delay. The direction issued in Ext.P4 judgment is to be complied with and it is not necessary to issue any further direction in that regard.

In the peculiar facts and circumstances of the case, the 4th respondent shall take appropriate steps to see that petitioner's claim is finally processed and the amounts, if any, due to him are disbursed, as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a copy of this judgment. In order to enable the Government to do so, it may if necessary, reconstruct the service book and request the petitioner to co-operate with the Government or the departmental officers in this regard.

The writ petition is disposed of as above.

V.GIRI, JUDGE

vps